

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

DOCKET NO. 93-579
ORIGINAL

FCC MAIL SECTION

In the Matter of)

Request by Press Broadcasting
Company, Inc. to Amend Section 76.51
of the Commission's Rules
to Include Clermont, Florida, in the
Orlando-Daytona Beach-Melbourne-
Cocoa, Florida, Television Market)

May 20 9 16 AM '93
Docket No. 92-306
RM-7994

DISPATCHED BY

REPORT & ORDER
(Proceeding Terminated)

Adopted: May 18, 1993

Released: May 19, 1993

By the Chief, Mass Media Bureau:

1. Before the Commission is the Notice of Proposed Rule Making ("NPRM"), 8 FCC Rcd 94 (1992), issued in response to a petition filed on behalf of Press Broadcasting Company, Inc. ("Press" or "petitioner"), licensee of WKCF(TV), Channel 68 (Independent), Clermont, Florida, seeking to amend Section 76.51 of the Commission's Rules, 47 C.F.R. §76.51, to change the designation of the Orlando-Daytona Beach-Melbourne-Cocoa, Florida, television market to include the community of Clermont, Florida. The petitioner filed comments in support of the proposal.¹ No comments opposing the proposal were received.

2. In the NPRM, we tentatively concluded that, based on the facts presented by the petitioner, a sufficient case for market hyphenation had been set forth and that Section 76.51 of the Commission's Rules should be amended by adding Clermont to the Orlando-Daytona Beach-Melbourne-Cocoa, Florida, market designation. For the reasons stated in the NPRM, as supported generally by the comments filed in response thereto, we believe

¹ Sharp Communications, Inc. ("Sharp"), licensee of WACX(TV), Channel 55 (Independent), Leesburg-Orlando, Florida, filed comments supporting Press' proposal, but also proposes that the Commission expand the instant proceeding to include the community of Leesburg, Florida as part of the same television market. Sharp maintains that although the NPRM did not specifically refer to the possible inclusion of Leesburg in the market, the NPRM "reasonably inferred" that stations meeting certain criteria would appear to be eligible for inclusion in the market under consideration herein. However, because the NPRM in this docket only sought public comment on Press' specific proposal to add Clermont to the subject market, we will not consider Sharp's proposal regarding Leesburg at this time. Of course, Sharp is free to refile, and the Commission will then independently proceed, including, if appropriate, soliciting public comment on Sharp's particular proposal.

that the public interest would be served by amendment of our rules as proposed by Press.

3. More specifically, the information presented to us indicates that WKCF and the stations in the presently designated market have coverage areas that substantially overlap and that the stations do, in fact, compete for audiences throughout the market area, thus establishing their economic interdependence. As we observed in the NPRM, although the communities involved are not directly adjacent, the location of WKCF's transmitting antenna on the same broadcast tower used by a Daytona Beach station supports treating the two stations as part of the same television market. In addition, Arbitron's conclusion that Clermont is within the Orlando-Daytona Beach-Melbourne "area of dominant influence" also supports this conclusion. The conditions present in this individual television market establish sufficient competitive commonality such that the proposed market redesignation appropriately delineates the areas where market-area stations can and do, both actually and logically, compete. We therefore conclude that redesignation of the market as proposed is consistent with the underlying purposes of the market hyphenation rule to "equalize competition" among stations in genuine competition. See, e.g., Major Television Markets (Fresno-Visalia, Calif.), 57 RR 2d 1122 (1985).

4. Accordingly, pursuant to delegated authority,² IT IS ORDERED that, effective thirty (30) days after publication in the Federal Register, Section 76.51(b) of the Commission's Rules, Major Television Markets, IS AMENDED to include Clermont, Florida, as follows:

Orlando-Daytona Beach-Melbourne-Cocoa-Clermont, Florida.

5. IT IS FURTHER ORDERED, that this proceeding IS TERMINATED.

6. For further information, contact Alan E. Aronowitz, Mass Media Bureau, (202) 632-7792.

FEDERAL COMMUNICATIONS COMMISSION


Roy J. Stewart
Chief, Mass Media Bureau

² See Report & Order in MM Docket No. 92-259, FCC 93-144, n. 150 (released March 29, 1993).